

**IN THE CLAIMS:**

Claims 1-27 are pending in the application, Claims 2,3,7-16,20 and 26 have been withdrawn in view of the election made in the restriction requirement March 22, 2006. Claims 18, 19, 22, 24 and 25 have been cancelled.

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF THE CLAIMS:**

1. (Currently amended) A method of converting a fatty acid to its corresponding dicarboxylic acid which comprises:
  - (a) isolating a yeast C. tropicalis POX4 gene promoter;
  - (b) isolating a NCP target gene involved in dicarboxylic acid production;
  - (c) operably linking the yeast C. tropicalis POX4 gene promoter to the open reading frame (ORF) of the NCP target gene involved in dicarboxylic acid production to create a fusion gene;
  - (d) inserting the fusion gene into an expression vector;
  - (e) transforming a yeast host cell with the expression vector; and
  - (f) culturing the transformed yeast host cell in a media containing an organic substrate that is biooxidizable to a mono- or polycarboxylic acid.
2. (Withdrawn) A method for transforming a yeast host cell, said method comprising:
  - (a) isolating a POX4 promoter;
  - (b) isolating a target gene;
  - (c) operably linking a POX4 promoter to the open reading frame of the target gene to create a fusion gene;
  - (d) inserting the fusion gene into an expression vector; and
  - (e) transforming the host cell with the expression vector.

3. (Withdrawn) The method of Claim 2 wherein the native *POX4* gene of the host cell is disrupted or deleted.

4. (Currently amended) The method of Claim 1 wherein the *NCP* target gene codes for a member of an  $\omega$ -hydroxylase complex.

5. (Currently amended) The method of Claim 4 wherein the target gene encoding a member of an  $\omega$ -hydroxylase complex is a ~~CYP, NCP1B, or CYTb5~~ gene.

6. (Currently amended) The method of Claim 5 wherein the ~~CYP, NCP1B NCP , or CYTb5~~ gene is ~~selected from the group consisting of CYP52A2A, CYP52A5A, a C. tropicalis NCP1B gene, or CYTb5 genes.~~

7. (Withdrawn) The method of Claim 2 wherein the target gene encodes a member of an  $\omega$ -hydroxylase complex.

8. (Withdrawn) The method of Claim 7 wherein the target gene coding for a member of an  $\omega$ -hydroxylase complex is a *CYP, NCP, or CYTb5* gene.

9. (Withdrawn) The method of Claim 8 wherein the *CYP, NCP, or CYTb5* genes are selected from the group consisting of *CYP52A2A, CYP52A5A, NCP1B, or CYTb5* genes.

10. (Withdrawn) A host cell comprising a nucleic acid molecule for a *POX4* gene promoter operably linked to the open reading frame of a gene encoding a heterologous protein.

11. (Withdrawn) The host cell of Claim 10 wherein the gene encoding a heterologous protein encodes a member of an  $\omega$ -hydroxylase complex such as any of the *CYP, NCP, or CYTb5* genes.

12. (Withdrawn) The host cell of Claim 11 wherein the CYP, NCP, or CYTb5 genes are selected from the group consisting of *CYP52A2A*, *CYP52A5A*, *NCP1B*, or *CYTb5* genes.

13. (Withdrawn) The host cell of Claim 10 selected from the group consisting of *Yarrowia*, *Candida*, *Bebaromyces*, *Saccharomyces*, *Schizosaccharomyces*, and *Pichia*.

14. (Withdrawn) The *Candida* host cell of Claim 13 selected from the group consisting of *C. tropicalis*, *C. maltosa*, *C. apicola*, *C. paratropicalis*, *C. albicans*, *C. cloacae*, *C. guillermondii*, *C. intermedia*, *C. lipolytica*, *C. parapsilosis*, and *C. zeylénoides*.

15. (Withdrawn) The *Candida* host cell of Claim 14 wherein the host cell is *C. tropicalis*.

16. (Withdrawn) The host cell of Claim 15 wherein the host cell is from a  $\beta$ -oxidation blocked strain of *C. tropicalis*.

17. (Currently Amended) A method of converting a fatty acid to its corresponding dicarboxylic acid, said method comprising:

- (a) isolating a POX4 promoter from a *C. tropicalis* yeast gene which is induced when the *C. tropicalis* yeast is grown on fatty acids or alkanes;
- (b) isolating a NCP target gene involved in dicarboxylic acid production;
- (c) operably linking the inducible gene promoter to the open reading frame (ORF) of the NCP target gene involved in dicarboxylic acid production to create a fusion gene;
- (d) inserting the fusion gene into an expression vector;
- (e) transforming a yeast host cell with the expression vector; and
- (f) culturing the transformed yeast host cell in a media containing an organic substrate that is biooxidizable to a mono- or polycarboxylic acid.

18. (Cancelled).

19. (Cancelled).

20. (Withdrawn) The method of Claim 17 wherein the isolated promoter is from a *C. tropicalis* catalase, citrate synthase, 3-ketoacyl-CoA thiolase A, citrate synthase, O-acetylhomoserine sulphhydrylase, protease, carnitine O-acetyltransferase, hydratase-dehydrogenase, or epimerase gene.

21. (Currently Amended) The method of Claim 17 wherein the target gene encoding encodes a member of an  $\omega$ -hydroxylase complex is a such as any of the CYP, NCP1B, or CYTb5 gene genes.

22. Cancelled.

23. (Currently Amended) A method for increasing conversion of a fatty acid to its corresponding dicarboxylic acid, said method comprising:

- (a) isolating a POX4 promoter from a *C. tropicalis* yeast gene which is induced when the yeast is grown on a fatty acid or alkane substrate;
- (b) isolating ~~at least one of a CYP, a CYTb5 gene, or a NCP gene;~~
- (c) operably linking the inducible gene promoter to the open reading frame (ORF) of ~~at least one of a CYP gene, a CYTb5 gene, or an a NCP gene~~ to create a fusion gene;
- (d) inserting the fusion gene into an expression vector;
- (e) transforming a yeast host cell with the expression vector; and
- (f) culturing the transformed host cell in a media containing an organic substrate that is biooxidizable to a mono- or polycarboxylic acid.

24. (Cancelled)

25. (Cancelled)

26. (Withdrawn)The method of Claim 23 wherein the promoter is from a gene selected from the group consisting of catalase, citrate synthase, 3-ketoacyl-CoA thiolase A, citrate synthase, O-acetylhomoserine sulphhydrylase, protease, carnitine O-acetyltransferase, hydratase-dehydrogenase, or epimerase genes.

27. ( Original) The method of Claim 23 wherein the organic substrate is a saturated fatty acid, an unsaturated fatty acid, an alkane, an alkene, an alkyne, or a combination thereof.